

**REMARKS**

Claims 1-23 are pending in this application. By this Amendment, claims 1, 5, 12 and 23 are amended. No new matter is added. Reconsideration of the application is respectfully requested.

Applicant gratefully appreciates the courtesies extended to Applicant's representative by Examiners Vaughn and Hong during the October 26 personal interview. The points discussed are incorporated into the following remarks.

**I. Drawing Objection**

The Office Action objects to the drawings because of informalities. Specifically, the Office Action asserts that the drawings do not include reference sign "FIG. 4" mentioned in the description, and include reference sign "S55" not mentioned in the description. The specification is amended to correct these informalities. Accordingly, withdrawal of the objection to the drawings is respectfully requested.

**II. Specification Objection**

The Office Action objects to the specification because of informalities. The specification is amended to correct the informalities. Accordingly, withdrawal of the objection is respectfully requested.

**III. Rejection Under 35 U.S.C. §102(b)**

The Office Action rejects claims 1-23 under 35 U.S.C. §102(b) over U.S. Patent No. 5,717,879 to Moran et al. ("Moran"). Applicant respectfully traverses the rejection.

Moran does not disclose an information recording and reproducing apparatus including a handheld playback selecting device that includes a switch and that outputs a playback start signal of the sound data with the switch in a first predetermined position and a playback end signal of the sound data with the switch in a second predetermined position, as set forth in independent claims 1, 5, 12 and 23. The Office Action asserts that Moran

discloses, in Fig. 3, a playback selecting device in Fig. 3 at reference signs 304 and 305 and describes such a playback selection device in column 27, lines 19-23. Further, the Office Action asserts that it is well known in the art that a mouse is equipped with a switch, which is commonly known as a mouse button. Notwithstanding these assertions, Moran does not disclose an information recording and reproducing apparatus as set forth in claims 1, 5, 12 and 23.

Moran discloses a session access workstation 105 which is typically computer controlled wherein control of session playback is accomplished through a graphical user interface presented in a display. See col. 13, lines 55-58. The session access workstation is coupled to a player, playback controller, and/or editor to play back an electronic whiteboard timestream through a window on the workstation and an audio timestream via an audio subsystem of the workstation. See col. 13, line 64 - col. 14, line 8. The first window may perform the function of the associated player or playback controller. See Fig. 1, and col. 14, lines 8-13.

Moran discloses a Live-Board Window 1601 that operates as a player of LiveBoard timestream, a playback controller, and an editor. See col. 24, lines 22-24. The Live-Board Window 1601 includes a word 1602 in an area of the screen. See Fig. 16. When a user selects the word 1602 with a pen/mouse, a conversation when the word 1602 was written is replayed. See column 27, lines 19-22. Thus, Moran teaches that the pen/mouse is a handheld device, not the LiveBoard Window 1601 or the workstation 105. Therefore, neither the LiveBoard Window 1601 nor the workstation 105 can reasonably be considered to be part of a handheld playback selecting device, as recited in claims 1, 5, 12 and 23.

Although Moran discloses a user using a mouse to select the word 1602 on the Live-Board Window 1601 in order to replay a conversation when the selected word was written, Moran does not teach or suggest that the mouse outputs a playback start signal of sound data

when the mouse button is in a first predetermined position and outputs a playback end signal of the sound data when the mouse button is in a second predetermined position. The session access workstation of Morgan outputs playback start and stop signals, not the mouse. The mouse only outputs a generic signal when a mouse button is pressed into its only position.

For at least for the foregoing reasons, Moran fails to disclose each and every element of claims 1, 5, 12 and 23. Therefore, claims 1, 5, 12 and 23 are not anticipated by Moran. Claims 2-4, 6-11 and 13-22 variously depend from claims 1, 5 and 12, and thus also are not anticipated by Moran. Accordingly, reconsideration and withdrawal of the rejection are respectfully requested.

### **III. Conclusion**

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-23 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,

  
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